



# MEMO ENDORSED

## THE CITY OF NEW YORK LAW DEPARTMENT

100 CHURCH STREET  
NEW YORK, NY 10007

MICHAEL A. CARDOZO  
Corporation Counsel

CURT P. BECK  
Special Assistant Corporation Counsel  
Phone: (212) 676-1395  
Fax: (212) 788-9776  
cbeck@law.nyc.gov

February 12, 2007

### BY TELECOPIER TO 212.805.7930

The Honorable Judge James C. Francis IV  
United States Magistrate Judge  
United States District Courthouse  
United States District Court  
500 Pearl Street Room 1960  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/13/07

Re: Eastwood, et al v. City of New York, et al – 05 Civ. 9483 (KMK) (JCF)

Dear Judge Francis:

On behalf of defendants in the RNC Consolidated Cases, I write in response to Mr. Spiegel's two letters, the first dated Monday, February 5, 2007, and the second, dated the afternoon of Friday, February 9, 2007 (and received by me yesterday, Sunday, February 11, 2007), and pursuant to your Honor's scheduling order, dated January 16, 2007, in Eastwood et al. v. City of New York, et al. That scheduling order did not contemplate Mr. Spiegel filing yet another "response" the day before defendants' reply was due, let alone "supplementally responding" to matters regarding RNC cases in which no motion was pending.

Accordingly, I respectfully request additional time for defendants' to reply, so that I might confer with defendants' counsel in all the other cases Mr. Spiegel added to the caption of his February 9<sup>th</sup> letter and to address the new arguments he raised therein. I have spoken with Mr. Spiegel and he has consented to such an adjournment, to, and including, Tuesday, February 20, 2007. The parties would appreciate your Honor So Ordering it.

Respectfully submitted,

Curt P. Beck  
Special Assistant Corporation Counsel

CPB/lhs

2/12/07  
Application granted.  
SO ORDERED.

James C. Francis IV  
USMJ

Cc: Michael Spiegel, Esq. (by telecopier and email)  
RNC Email Service List